

PHILLIP A. TALBERT  
United States Attorney  
MICHAEL G. TIERNEY  
ARIN C. HEINZ  
Assistant United States Attorneys  
2500 Tulare Street, Suite 4401  
Fresno, CA 93721  
Telephone: (559) 559-4000  
Facsimile: (559) 559-4099

Attorneys for the  
United States of America

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,

v.

CHARLES BARRETT,  
Defendant.

CASE NO. 1:22-CR-00213-NODJ-BAM

JOINT STATUS REPORT

**BACKGROUND**

This matter is scheduled for trial on February 6, 2024. ECF 109. The matter is also scheduled for a status conference hearing on December 21, 2023. ECF 161. On December 8, 2023, the Court ordered the parties to file a joint status report addressing four matters: 1) whether the parties will be ready to proceed to trial as scheduled; 2) the number and type of motions the parties anticipate will need to be resolved prior to trial; 3) a proposed briefing schedule for remaining motions; and 4) other information that may aid in meeting the current trial date. *Id.* The parties' response appears below.

**STATUS REPORT**

1. Parties' readiness for trial beginning February 6, 2024

The parties will be ready to proceed to trial as scheduled on February 6, 2024. The parties estimate approximately nine full court days for the trial.

2. Remaining motions in limine

The parties do not currently contemplate significant motion practice except as regards mental health records of victim K.G. The parties entered into a stipulation on November 15, 2023 to address disclosure of such records. ECF 146 (the “Mental Health Stipulation”). The Mental Health Stipulation contemplates the parties will file motions in limine prior to trial. *Id.* at 2.

The parties also note there is a pending fully-briefed motion for bail review. ECF 158, 161. The motion is scheduled to be heard on December 27, 2023 in front of Magistrate Judge Oberto. ECF 163.

3. Motions in limine schedule

The parties propose that any motions in limine regarding mental health records be filed on January 22, 2024 with oppositions due January 29, 2024. The parties prefer a compressed schedule close to the trial date because they are unable to estimate when the records may be received from the records holders. The parties can further update the Court regarding the current status relating to the mental health matters at the status conference on December 21, 2023.

4. Remaining matters

The parties do not have any remaining matters that they believe will affect the trial date.

Respectfully submitted,

PHILLIP A. TALBERT

United States Attorney

DATED: December 18, 2023

By: /s/ Michael G. Tierney  
Michael G. Tierney  
Assistant United States Attorney

Dated: December 18, 2023

By: /s/ TIMOTHY P. HENNESSY  
TIMOTHY P. HENNESSY  
Attorney for Charles Barrett